

Ex. '4'

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6 **UNITED STATES BANKRUPTCY COURT**
DISTRICT OF NEVADA

7 In Re:
8
9 MELANI SCHULTE and
WILLIAM SCHULTE,

10 2704 SATTLEY LLC,
11 HOT ENDEAVOR LLC,
12 1341 MINUET LLC,
13 1708 PLATO PICO LLC,
14 2228 WARM WALNUT LLC,
15 9425 VALLEY HILLS LLC,
16 9500 ASPEN GLOW LLC,
17 5218 MISTY MORNING LLC,
18 CHERISH LLC,
19 SABRECO INC.,
KEEP SAFE LLC,

Debtors.

Case No. 09-29123-MKN
Chapter 11
Jointly Administered with:

09-27238-MKN
09-27909-MKN
09-27910-MKN
09-27911-MKN
09-27912-MKN
09-27913-MKN
09-27914-MKN
09-27916-MKN
09-28513-MKN
09-31584-MKN
09-31585-MKN

Date: February 09, 2022
Time: 9:30 a.m.

20
21 **DECLARATION IN SUPPORT OF MOTION TO COMPEL DISCOVERY OF**
SHELLPOINT MORTGAGE SERVICING AND THAT DEBTORS REQUEST
FOR PRODUCTION BE RESPONDED TO PROPERLY AND FOR
ATTORNEYS FEES

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23 **PURSUANT TO 28 U.S.C. §1746 CHRISTOPHER P. BURKE, ESQ.**
DECLARES THE FOLLOWING:

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26 CHRISTOPHER P. BURKE, ESQ., being duly sworn on oath, deposes and says:
27 1. That I am an attorney duly licensed to practice law in the State of Nevada.

2. That I represent the above named chapter 11 debtor, Melani Schulte.
 3. That on October 11, 2009, Debtors filed a Chapter 11 petition (“Petition”) for bankruptcy and was assigned bankruptcy case no. 09-29123-MKN (Dkt. #1).
Debtors Melani Schulte and William Schulte (Deceased) filed their bankruptcy schedules on December 1, 2009 (Dkt.#41). On Schedule B of the petition, Debtors listed many properties, including one located at 1392 Echo Falls Ave., Las Vegas Nevada 89123 (“Echo Falls Ave.”).
 4. That on April 23, 2021 I filed Schulte Motion for Contempt for Violation of the Automatic Stay and Discharge Injunction and Failure to Comply with A Court Order and the Confirmed Plan and for Damages including Attorneys Fees against Creditors, Shellpoint Mortgage Servicing and Ocwen Loan Servicing, LLC. (Dkt.#1334).
 5. That on May 12, 2021 Shellpoint filed its Response to Debtors Motion for Contempt. (Dkt.#1342).
 6. That on September 22, 2021 I served Shellpoint’s with discovery.
 7. That Shellpoint responded on October 22, 2021, but had numerous objections.
 8. That on October 28, 2021 I emailed a meet and confer regarding Shellpoints Objections and Responses to Schulte’s First Set of Request for Production of Documents and First Set of Interrogatories (Ex. ‘1’).
 9. That Shellpoint Supplemented their responses on November 12, 2021. (Ex. ‘2’)
 10. That Shellpoints Supplemental responses did little to satisfy the meet and confer requests. Thus, I mailed a Second meet and confer letter to Shellpoint on November 24, 2021 (Ex. ‘3’). This involved most of the same requests from

the initial meet and confer that were not satisfied.

11. That I requested a response by December 3, 2021.
 12. That on December 10, 2021 I emailed regarding the meet and confer that was Mailed out on November 24, 2021 regarding Shellpoints Objections and Responses to Schulte's First Set of Request for Production of Documents and First Set of Interrogatories (Ex. '5').
 13. That I requested a response by December 17, 2021.
 14. That Shellpoint Supplemented their responses on December 16, 2021. (Ex. '6')
 15. That Shellpoints Supplemental responses again did little to satisfy the meet and confer requests.
 16. That on December 21, 2021, I briefing spoke to Shellpoint counsel regarding Schultes Request for Production at her deposition.
 17. That on December 22, 2021, Shellpoint counsel sent an emailed regarding the request for production of documents. The email stated, please note we are still pending a response from Shellpoint regarding production of the Bankruptcy Procedures Manual. Our contact on the matter is out of the office for the holidays, but should respond upon her return. (Ex. '7').
 18. That to date no response has been made by Shellpoint.
 19. That attached is a true and correct copy of the letters and emails sent and received.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief

DATED this 7th day of January, 2022.

/S/CHRISTOPHER P. BURKE, ESQ.
CHRISTOPHER P. BURKE, ESQ.